

Docket No. DELME-P2739

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dan W.C. Delmer

Serial No.: 09/904,975

Art Unit: 3679

Filed: July 12, 2001

Examiner: Aaron M. Dunwoody

For: PIPE COUPLING

-----  
Mail Stop: Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**PETITION TO MAKE SPECIAL UNDER THE PROVISIONS OF 37 C.F.R.**

**§1.102 (c)(1)**

Sir:

Pursuant to 37 C.F.R. §1.102, Applicant respectfully petitions the Commissioner of Patents and Trademarks to make special the above-identified patent application, so that it may be taken out of turn for immediate action. The basis for this petition is that the applicant is experiencing significant health issues that may impact his ability to assist in the prosecution of his patent application.

In accordance with MPEP §708.02 III, enclosed in support of this Petition is the Declaration of Dan W.C. Delmer attesting his health is compromised, along with copies of his medical records in support thereof.

**Certificate of Transmission**

I hereby certify that this correspondence is being filed electronically via EFS with the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date indicated below.  
/Alison L. Vass/

Alison L. Vass, Reg. No. 63,078

June 11, 2009

DATE

Applicant respectfully submits that his current state of health, including recurrent rectal cancer, may prevent him from being able to assist with the prosecution of his application, and thus hereby requests that the examination of his application be expedited on that basis.

At the time Applicant filed a Notice of Appeal on April 3, 2009, Applicant understood that he was recovering from his cancer. Just recently (on June 2, 2009), while Applicant was in the process of preparing the Appeal Brief, Applicant learned of the recurrence of his cancer. Thus, Applicant did not bring this to the attention of the Patent Office sooner since he believed he was well enough to assist in prosecuting his patent application. Applicant hopes that the Patent Office will be sympathetic to Applicant's situation, and will expedite his application based on these facts.

Applicant's representative believes that under 37 C.F.R. 1.102 no fee is required for filing this petition, however if needed the Commissioner is authorized to charge any fees due to Deposit Account No. 08-2624.

Respectfully submitted,

Date: June 11, 2009 /Alison L. Vass/  
Alison L. Vass  
Reg. No. 63,078  
J. Mark Holland & Associates,  
a Professional Law Corporation  
3 San Joaquin Plaza, Suite 210  
Newport Beach, California 92660  
Telephone: 949-718-6750  
PTO Customer Number 21,259

ALV:dw  
Enclosures  
Z:\WinWord\DELME\P2739\PET.DOC